

REMARKS

Claims 1-16 are pending in the application. Claim 13 has been cancelled. Independent Claims 1 and 14-16 have been amended. No new matter has been introduced.

Applicants thank Examiner Ho for a helpful telephonic interview on June 1, 2005. In that interview, the Examiner requested that the Applicants provide more detail regarding the distinguishing features of the function objects and the data objects of Applicants' invention. The Examiner further stated that cancellation of Claim 13 would overcome the first of two provisional double patenting rejections of Claims 1-16 in U.S. Patent Application No. 09/898,501.

Claim 1 has been provisionally rejected under 35 U.S.C. 101 as claiming the same invention as that of Claim 13 of co-pending U.S. Patent Application No. 09/898,501. Claim 13 of copending Application No. 09/898,501 has been cancelled. Therefore, Applicants respectfully request that this provisional rejection of Claim 1 be withdrawn.

Claims 2-16 have been provisionally rejected under 35 U.S.C. 101 as claiming the same invention as that of the claims of co-pending U.S. Patent Application No. 09/898,501. Since Claims 2-12 depend from base Claim 1, Applicants respectfully request that the provisional rejection of these claims be withdrawn for at least the same reason supporting withdrawal of the provisional rejection of base Claim 1. In addition, since independent Claims 14-16 have identical claim limitations to Claim 1, Applicants respectfully request that the provisional rejection of Claims 14-16 be withdrawn for at least the same reason supporting withdrawal of the provisional rejection of Claim 1.

Claim 1 has been provisionally rejected under 35 U.S.C. 101 as claiming the same invention as that of Claim 1 of co-pending U.S. Patent Application No. 09/898,506. Claim 1 of co-pending U.S. Patent Application No. 09/898,506 provides "an engine for searching and/or optimizing an emergent model on a computer network" that includes a step beginning with the term "defining." Claim 1 as now amended instead provides a method of generating an emergent model and omits the step beginning with the term "defining." Therefore, Claim 1 of the instant application does not claim the same invention as the cited '506 patent application. Applicants respectfully request that the provisional rejection of Claim 1 as now amended be withdrawn. Since Claims 2-12 depend from base Claim 1, Applicants respectfully request that the

provisional rejection of Claims 2-12 be withdrawn for at least the same reason supporting withdrawal of the provisional rejection of base Claim 1. In addition, since independent Claims 14-16 have identical claim limitations to Claim 1, Applicants respectfully request that the provisional rejection of Claims 14-16 be withdrawn for at least the same reason supporting withdrawal of the provisional rejection of Claim 1.

Applicants provide a method and an apparatus for generating an emergent model on a computer network. The emergent model consists of one or more models where a model consists of one or more objects. Specification, page 8, lines 1-2. The models are collections of computer instructions and data that present an interface for describing the behavior of part of the system being modeled, such that the interface is understood by other parts of the system being modeled. Specification, page 7, lines 27-29. Some of the objects are model inputs and outputs made available to relate various models to one another. Specification, page 8, lines 3-4. These objects are implemented using standard distributed object management techniques (e.g., CORBA, DCOM). Specification, page 8, lines 4-5.

Interdependencies or relationships within a model are defined using function objects. Function objects provide emergent behavior by providing solvable expressions that relate data objects and function objects. The expression may be thought of as a function with a plurality of inputs and output objects, which is evaluated by a solver. Thus, by generating, publishing references to and subscribing to these function objects and data objects, networks of linked function objects and data objects emerge to form an emergent model.

Claims 1-16 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Glass (U.S. Pat. No. 6,629,128).

Glass provides an improved system for distributed processing in a network (a distributed object management system) (col. 3, lines 62-67). Glass explains that “[c]urrently, a system developer must anticipate all necessary remote proxies and create the remote proxy classes” (col. 6, lines 35-36). Moreover, the “remote proxy classes must be kept in sync with the subject classes as the subject classes and interfaces are modified” (col. 6, lines 43-45). In response to these shortcomings, Glass provides a system which dynamically generates remote proxy classes whenever they are needed at runtime to enable a client system to manipulate data and services resident on a server system. Specifically, Glass provides a remote proxy generator, residing in

the object request broker of the server system, which instantiates the remote proxy class to create a remote proxy object through which a client system may access data and services resident on a server system. The remote proxy objects are created in response to requests by client systems to server systems.

Glass, however, fails to teach an emergent model including one or more models that describe the behavior of a system and/or evaluate the system. In particular Glass fails to teach generating function objects that define interdependencies within a model by providing solvable expressions that relate data objects and/or function objects. Glass only provides a way for a client to access data and services resident on a server system. Glass does not provide function objects that include solvable expressions relating other data objects and/or function objects. Claim 1 has been amended to include these limitations which Glass does not teach. Claim 1 has further been amended to make clear various other aspects of Applicants' invention. The limitation "invoking methods on data objects and/or function objects when data objects and/or function objects require information" has been added and is supported by the Specification at page 9, lines 6-15 and page 23, lines 5-7 as originally filed. The limitation "in a central location on a single computing device" has also been added and is supported by the Specification at page 17, lines 17-19 as originally filed. The remaining amendments are also supported throughout the Specification.

Because Glass does not teach, suggest or otherwise make obvious every claim limitation of now amended Claim 1 (e.g., "the emergent model including one or more models ... that describe behavior of a system and/or evaluate the system, ... at least some of the data objects and/or function objects being model inputs and/or model outputs, at least some of the function objects ... providing solvable expressions that relate data objects and/or function objects"), Applicants respectfully request that the rejection of Claim 1 be withdrawn. Since Claims 2-12 depend from base Claim 1, Applicants respectfully request that the rejection of these claims be withdrawn for at least the same reasons supporting withdrawal of the rejection of base Claim 1.

Since Claims 14-16 have identical claim limitations to Claim 1 discussed above, Applicants respectfully request that the rejection of Claims 14-16 be withdrawn for at least the same reasons supporting withdrawal of the rejection of Claim 1.

CONCLUSION

In view of the above amendments and remarks, it is believed that all claims (Claims 1-12 and 14-16) are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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